

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

RACHEL BROOKE PAGELER, and  
JOSEF D. BARRAZA,

Defendants.

**4:21CR3070**

**ORDER**

This case has been pending for over a year. Based on the content of the previous and numerous motions to continue filing in this lawsuit, plea negotiations have been ongoing for the last ten months. (Filing No. 46). Defendant Pageler has again moved to continue the trial, (Filing No. 70), because the parties are currently engaged in plea discussions. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted one last time. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to continue, (Filing No. 70), is granted.
- 2) As to both defendants, the trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on October 3, 2022, or as soon thereafter as the case may be called, for a duration of five (5) trial days. Jury selection will be held at commencement of trial.

**No further continuances will be granted.**

- 3) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and as to both defendants, the additional time arising as a result of the granting of the motion, the time between today's date

and October 3, 2022, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 20th day of July, 2022.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge